REMARKS

Claims 1-27 are currently pending in the application.

The claimed invention provides an information distribution system and method to supply mobile devices with information that is related to information displayed by a display which also serves as an information distribution unit. The claimed invention thus provides for visual presentation of information, enhanced usability of information, and improved targeting of advertising. As discussed in the response to the previous office action, the central premise of the invention is that, when a mobile terminal is inside the limited range of a transmitter based within an information distribution unit, such mobile terminal will receive and display information that expands on or supplements information displayed on the information distribution unit's display. An example may include an advertisement displayed on the information distribution unit's display, with technical specifications or a list of stores where the product is sold made available to interested users via their mobile terminals.

Conventional information distribution systems are typically provided with a reader 103, an information accumulator 104, an information manager 105, a transmission manager 106, a system manager 107, and a radio transmitter 162. The information accumulator 104 accumulates information to be provided to users, while the information manager 105 manages such information. Information to be provided to users may be obtained from an external information resource 109. In a conventional information distribution system, each user 101 may carry a portable memory 102 and a portable information terminal 108. The portable memory 102 is a medium in which information is magnetically stored and may be used, for example, as a train or bus ticket. When a user 101 inserts a portable memory 102 into a reader 103, the reader 103 reads information stored in the portable memory 102, which may identify the user 101. This may be done by a portable memory 102 which serves as a train or bus ticket and which presents information used to determine whether the user is to be permitted entry, for example, through a turnstyle providing access to the platform of a commuter train. (Figure 1) When, the user 101 is identified, the transmission manager 106 transmits information content to the portable information terminal 108. The user 101 obtains information by inserting the portable memory 102

into the reader 103.

The information distribution system or method according to the claimed invention seeks to provide users with information that is of interest to them, which is something that conventional information and advertising media do not always do. One object of the claimed invention is, through visual presentation which may include visual advertising, to alert users to the availability of information which may be of interest to them. Another object of the claimed invention is to facilitate a user's ability to follow up on such visually presented information by obtaining additional, related information. A further object of the claimed invention is to enable easy feedback regarding visual advertising. Thus, according to the claimed invention, an information distribution system may be composed of a plurality of information distribution units 41, 42, 43, a server, and a mobile terminal 51. The provider server 21 may select at least one of the plurality of information distribution units 41, 42, and 43, and may transmit first information to the selected information distribution unit. (Figure 2) The selected information distribution unit 41 may include a transmitting unit 411 and a display unit 410. (Figures 2-3) When a mobile terminal 51 enters a communication area covered by the transmitting unit 411, the transmitting unit 411 may transmit a first information received from provider server 21 to mobile terminal 51. (Figure 2) At the same time, a display unit 410 may visually display certain second information, which is related to the first information that has been transmitted to the mobile terminal 51. (Figure 3) Such display unit 410 may be the display screen of the mobile device 51. (Figure 6)

Improvements may be made to the information distribution chain by giving the owner of a mobile terminal a choice of what further information to receive, or by allowing the mobile terminal to communicate back to the information distribution system some other data, such as a request to sign up for a mailing list or to submit a survey. The mobile terminal may also have a unique identifier associated with it that may correspond to a profile stored in a central location. This profile may control such things as the type of advertising delivered to the mobile terminal or other such personalized options.

The Examiner has rejected Claims 1-25 pursuant to 35 U.S.C. § 103(a) as unpatentable over various references. Claims 1-5, 7-9, 15-17, and 18-25 were rejected as unpatentable over International Patent Publication No. WO 00/30379 to

Irvin in view of U.S. Patent No. 6,621,508 to Shiraishi et al. Claims 6, 10, and 11 were rejected as unpatentable over Irvin in view of Shiraishi et al. and further in view of International Patent Publication No. 98/59506 to Emilsson, while Claim 8 was rejected as unpatentable over Irvin in view of Shiraishi et al. and further in view of U.S. Patent No. 5,963,130 to Schlager et al. Claims 12-14 and 17 were rejected as unpatentable over Irvin in view of Shiraishi et al. and further in view of U.S. Patent No. 6,621,508 to Hasebe et al. Finally, Claim 18 was rejected as unpatentable over Irvin in view of Shiraishi et al. and further in view of U.S. Patent Application No. 2002/0147633 to Rafizadeh. Applicant respectfully traverses these rejections as discussed more fully below.

Rejection of Claims 1-5, 7-9, 15-16, and 21-25

The Examiner has rejected Claims 1-5, 7-9, 15-16, and 18-25 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. Applicant respectfully traverses on the basis that Irvin describes a system and method for distributing information on a geographic basis but not on other bases, while Shiraishi et al. concerns a system for the iconic display of certain information on the display screen of a portable device such as a personal digital assistant. As a result, a combination of the two references would not result in Claims 1, 2, 3, 4, 5, 7, 8, 9, 15, 16, 21, 22, 23, 24, or 25 of the claimed invention.

Claims 1, 7, 22, and 24. As noted in the preceding paragraph, the Examiner has rejected Claims 1, 7, 22, and 24 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. Unlike the claimed invention, the purpose of Irvin is "[t]o improve the geographic resolution of broadcast messages transmitted over a communication network." (Irvin, Abstract) Irvin thus deals with the selection and delivery of messages to numerous mobile units based upon tags in the messages, which reflect the geographical position or some other characteristic of the intended group of recipients. Irvin illustrates this idea by using a cellular telephone network, in which there are a plurality of broadcasting towers serving different geographical areas and in which are a plurality of mobile cellular handsets in the area served by the plurality of broadcasting towers. By the use of broadcast groups and target area codes, Irvin achieves a system for delineating a group of multiple mobile terminals among a larger number, who are to receive a broadcast message. The target area codes are used in a situation where a message is to be delivered to a group of mobile

terminals in a certain geographical area. This is done by the message having a code which a receiving mobile terminal will compare to a locally stored location code to determine if it accepts the message or not. This location code may be set through another device such as a GPS receiver or manually, if the mobile terminal is static or if the terminal is not mobile at all, in the case of "personal computers with a wireline modems" (Page 5, lines 9-10). The static location of the mobile terminals does not change the fact that they are to receive the message that is broadcast by, in this case, cellular communication towers. Also, the decision of whether or not a mobile terminal is to receive a message broadcast to a group is always done locally, meaning that the cellular towers indiscriminately broadcast any message that is sent. As a result, citation of Irvin does not support rejection.

The Examiner has found that Irvin "teaches a plurality of base stations (i.e., information distribution units)" (Office Action at 2). While it may be that Irvin teaches a plurality of base stations, there does not appear to be a basis for drawing an analogy between base stations, as in Irvin, and information distribution units, as in the claimed invention. The base stations in the cited portion of Irvin are provided to "allow[] the user of the mobile communication terminal 100 to communicate with other mobile communication terminals or with users connected to the PSTN [Public Switched Telephone Network]." (Irvin, page 6, lines16-18) The information distribution units of the claimed invention, by contrast, are provided for the provision of advertising and other information. Irvin does not appear to support the points for which it has been cited.

The Examiner has also found that Irvin "teaches a mobile switching center (MSC) (i.e., server) selecting at least one base station from among a plurality of base stations, and transmitting first message (i.e., information) to the selected base station." (Office Action at 2) There does not, however, appear to be a basis for drawing an analogy either between the MSC of Irvin and the server of the claimed invention or between the message of Irvin and the first information of the claimed invention. The MSC of Irvin connects "a plurality of base stations" to "a terrestrial communications network such as the Public Switched Telephone Network" (Irvin, page 6, 10-12) and does not provide information content or serve as a constituent of an information provider system, as does the server of the claimed invention. There is a "message source" in Figure 1 of Irvin which may provide "a text message" and

"target area data" (Irvin, page 7, lines 3, 5). The "text message" of Irvin is not analogous the "first information" of the claimed invention, however, because the "text message" is not supplemented by a "second information," which is a principal feature of the first information of the claimed invention. Similarly, the "target area data" appears to be related to the functioning of the communication network and not intended for display to the user, which is unlike the "first information" of the claimed invention. (*See* Irvin, page 7, lines 5-10) Irvin does not appear to support the points for which it has been cited.

The Examiner has further found that Irvin "teaches a mobile terminal." (Office Action at 2) While it may be that Irvin teaches a mobile communication terminal, which may be embodied in a cell phone just as the mobile terminal of the claimed invention may be embodied in a cell phone, there is no basis in Irvin on which to expect such a mobile communication terminal to possess (or to need) the capabilities provided to a mobile terminal by the claimed invention. Irvin does not appear to support the points for which it has been cited.

Finally, the Examiner has found that Irvin "teaches that the selected base station includes inherently a transmitting unit transmitting to the mobile terminal the first message received from the MSC such that the mobile terminal is able to display the first message, the transmitting unit transmits the first message to the mobile terminal through radio communication, and the mobile terminal receives the first message when entering a selected cell (i.e., communication area) of the selected base station." (Office Action at 3) However, the identified features of Irvin, especially as represented in Figure 1 but also in the other cited portions of Irwin, are features of a cellular telephone network or similar communications network. Reference to such a network is consistent with the purpose of Irvin, "[t]o improve the geographic resolution of broadcast messages transmitted over a communication network, such as a cellular telephone network." (Irvin, Abstract) The claimed invention, however, does not provide improvements the geographic resolution of broadcast messages transmitted over a communication network, just as Irvin does not provide improvements in the provision of advertising or other information to users, which is what the claimed invention does. Irvin does not appear to support the points for which it has been cited.

The Examiner has acknowledged that Irvin "fails to teach 'a display unit

visually displaying second information'" (Office Action at 3) and relies on Shiraishi et al. to make up for the deficiency. The disclosure of Shiraishi et al., however, relates to an information processing system in which a portable device such as a personal digital assistant (PDA) and a base station such as a personal computer (PC) are asynchronously updated, or synchronized, to ensure each unit has current data. (Shiraishi et al., column 1, lines 26-26; column 12, line 40 through column 13, line 27) The disclosure of Shiraishi et al., therefore, does not relate to, or consider, a mobile terminal capable of receiving transmissions from information provider units with information previously unavailable to the user, which may be of interest to the user. The display of second information taught by Shiraishi et al. is to accommodate the circumstance that the display screen of a device such as a PDA is typically smaller than the display screen of a base station device such as a personal computer, with which information in the portable device is synchronized:

> With the system according to the present embodiment, the size of the display unit 13 at the PC 1 is large, and the size of the display unit 23 at the portable device 2 is small. Accordingly, simple synchronizing alone would only result in the image displayed at the PC 1 to be simply compressed at displayed on the display device at the portable device 2. Therefore, in order to allow the display unit 13 and the display unit 23 to have the same image such that the user can take the two devices to be the same in a natural manner, the arrangement has been devised.

(Shiraishi et al., column 13, lines 13-22; *see also* Shiraishi et al., Figures 4; 8A-F; 9A-E; 35; 36A-D; 37A-D; 38; 39A-B; 40A-C; 41A-B; and 42A-C) Thus, the disclosure of Shiraishi et al. is addressed to circumstances in which information in a portable terminal is to be permanently updated, while the claimed invention gives the user access to first information and second information only as long as the mobile terminal is within an area 415, 425, 435 covered by a transmitting unit 411 (Figure 2). Shiraishi et al. does not provide for second information to be provided as a followup to first information in order to avoid presenting a user with information that is not of interest, as is the case with the claimed invention, and any resemblance between the claimed invention and display techniques employed by Shiraishi et al. is purely fortuitous. As a result, citation of Shiraishi et al. does not support rejection. Applicant respectfully submits that a combination of Irvin and Shiraishi et al. would

not result in Claims 1, 7, 22 or 24 of the claimed invention.

Claims 2 and 25. As noted above, the Examiner has rejected Claims 2 and 25 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. Claim 2 depends from Claim 1, and Claim 25 depends from Claim 24. Applicant thus incorporates by reference the foregoing discussion of Irvin and Shiraishi provided in reference to Claims 1, 7, 22, and 24. With specific reference to Claims 2 and 25, the Examiner has found that "Irvin teaches that the location data (i.e., second information) is related to the first message." (Office Action at 3) The cited passages from Irvin, however, do not support the analogy that has been drawn between Irvin and the claimed invention, especially given the significant differences between the purpose of the invention described in the reference and that of the claimed invention, as discussed above. The purpose of Irvin is "[t]o improve the geographic resolution of broadcast messages transmitted over a communication network" (Irvin, Abstract), and the specification of "a target area of reception" (Irvin, page 4, line 14) in a passage cited by the Examiner is to further that purpose. In addition, and as discussed in response to the previous office action, it is not clear how the location data of Irvin could be interpreted as the second information of the claimed invention, as Irvin's location data is not ever displayed, whereas the second information of the claimed invention must be capable of being displayed. Applicant respectfully submits that a combination of Irvin and Shiraishi et al. would not result in Claims 2 or 25 of the claimed invention.

Claims 3 and 23. As noted above, the Examiner has rejected Claims 3 and 23 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. Claim 3 depends from Claim 1, and Claim 23 depends from Claim 22. Applicant thus incorporates by reference the foregoing discussion of Irvin and Shiraishi provided in reference to Claims 1, 7, 22, and 24. With specific reference to Claims 3 and 23, the Examiner has found that "Irvin teaches that the first message (i.e., information) is transmitted from the transmitting unit to the mobile terminal by radio communication." (Office Action at 3) The cited passages from Irvin, however, do not support the analogy that has been drawn between Irvin and the claimed invention, especially given the significant differences between the purpose of the invention described in the reference and that of the claimed invention, as discussed above, which is "[t]o improve the geographic resolution of broadcast messages transmitted

over a communication network, such as a cellular telephone network." (Irvin, Abstract) The cited passages of Irvin do not make reference to "radio communication" as in Claims 3 and 23, and, even if such mention had been made, the mere mention of "radio communication" without a closer nexus between the two inventions would not support rejection of these claims. Applicant respectfully submits that a combination of Irvin and Shiraishi et al. would not result in Claims 3 or 23 of the claimed invention.

Claim 4. As noted above, the Examiner has rejected Claim 4 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. Applicant incorporates the foregoing discussion of Irvin and Shiraishi (provided in reference to Claims 1, 7, 22, and 24) by reference. With specific reference to Claim 4, which depends from Claim 1, the Examiner has found that "Irvin teaches that the first message (i.e., information) is transmitted from the transmitting unit to the mobile terminal by communication through wire." (Office Action at 3) While the cited passage from Irvin does refer to "wireline" communication (Irvin, page 15, line 20), it does not support the analogy that has been drawn between Irvin and the claimed invention, especially given the significant differences between the purpose of the invention described in the reference and that of the claimed invention, as discussed above. The use of communication through wire in the manner described by Claim 4, for example, would not improve the "geographic resolution of broadcast messages transmitted over a communication network" (Irvin, Abstract), which is a principal purpose of Irvin, as discussed above. Applicant respectfully submits that a combination of Irvin and Shiraishi et al. would not result in Claim 4 of the claimed invention.

Claim 5. As noted above, the Examiner has rejected Claim 5 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. Applicant incorporates the foregoing discussion of Irvin and Shiraishi (provided in reference to Claims 1, 7, 22, and 24) by reference. With specific reference to Claim 5, which depends from Claim 1, the Examiner has found that "Irvin teaches that the first message (i.e., information) is transmitted from the transmitting unit to the mobile terminal in the wireline communication network." (Office Action at 4) The cited passage from Irvin, however, does not support the analogy that has been drawn between Irvin and the claimed invention, especially given the significant differences between the purpose of the invention described in the reference and that of the claimed invention,

as discussed above. The cited passage of Irvin does, as discussed in connection with Claim 4, discuss uses of a "wireline" communication network (Irvin, page 15, line 20). It is not clear, however, why the Examiner has read the cited passage as employing a single term, "wireline," to describe both transmission through "wire" (as in Claim 4) and transmission through "electric shielding" (as in Claim 5), as the use of different terms in Claims 4 and 5 reflects a distinction typically made by those skilled in the art. Applicant respectfully submits that a combination of Irvin and Shiraishi et al. would not result in Claim 5 of the claimed invention.

Claim 9. As noted above, the Examiner has rejected Claim 9 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. Applicant incorporates the foregoing discussion of Irvin and Shiraishi (provided in reference to Claims 1, 7, 22, and 24) by reference. With specific reference to Claim 9, which depends from Claim 1, the Examiner has found that "Irvin teaches that the mobile terminal includes another state indicator visually indicating whether or not the mobile terminal is receiving the first information." (Office Action at 3) The cited passage from Irvin, however, does not support the analogy that has been drawn between Irvin and the claimed invention, especially given the significant differences between the purpose of the invention described in the reference and that of the claimed invention, as discussed above. In particular, the cited passage describes a display which "allows the operator to see dialed digits and call status information" (Irvin, page 15, line 5), which does not appear to be equivalent to the state indicator of the claimed invention, since the state indicator shows "whether or not said transmitting unit is transmitting said first information" (Claim 9, lines 2-3), which is something other than call status. Applicant respectfully submits that a combination of Irvin and Shiraishi et al. would not result in Claim 9 of the claimed invention.

Claim 15. As noted above, the Examiner has rejected Claim 15 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. Applicant incorporates the foregoing discussion of Irvin and Shiraishi (provided in reference to Claims 1, 7, 22, and 24) by reference. With specific reference to Claim 15, which depends from Claim 1, the Examiner has found that "Irvin teaches that the mobile terminal selects an option (i.e., sends a request) for the first information, and the transmitting unit transmits the first information in response to the request." (Office Action at 4) The cited passage from Irvin, however, does not support the analogy that

has been drawn between Irvin and the claimed invention, especially given the significant differences between the purpose of the invention described in the reference and that of the claimed invention, as discussed above. While the cited passage from Irvin does provide for selection of options, the options do not relate to a first information as required by Claim 15. As discussed in response to the previous office action, the Examiner asserts that Irvin teaches a mobile terminal that selects an option, even though Irvin does not reveal the requesting of the first information and the delivery of the first information based upon such request. The cited passage details only the showing of dialed digits, not the receipt or processing of options. Applicant respectfully submits that a combination of Irvin and Shiraishi et al. would not result in Claim 15 of the claimed invention.

Claim 16. As noted above, the Examiner has rejected Claim 16 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. Applicant incorporates the foregoing discussion of Irvin and Shiraishi (provided in reference to Claims 1, 7, 22, and 24) by reference. With specific reference to Claim 16, which depends from Claim 1, the Examiner has found that "Irvin teaches that [sic] a personal computer (i.e., information input computer) for operation by an information distributor, wherein the first information to the MSC." (Office Action at 4) The cited passage from Irvin, however, does not support the analogy that has been drawn between Irvin and the claimed invention. Claim 16 provides:

> The information distribution system according to claim 1, further comprising an information input computer for operation by an information distributor, wherein said first information is inputted to said information input computer, and
>
> said information input computer sends said first information to said server.

(Claim 16, lines 1-4) By contrast, the cited passage from the disclosure of Irvin provides, *inter alia*:

> In another embodiment of the invention, location data is predetermined and stored within the terminal by manual or automatic entry into a memory . . . so that terminal location can be provided for terminals that lack a positioning receiver, for example cellemetry equipment, *personal computers* equipped with wireline modems, and so forth;

(Irvin, page 5, lines 5-6, 8-10) (emphasis added) and

> The mobile communication system, which is indiated generally by the numeral 10, comprises a plurality of base stations 12 which are connected via a mobile services switching center (MSC) 14 to a terrestrial communications network such as the Public Switched Telephone Network (PSTN) 16.

(Irvin, page 6, lines 9-12) Thus, there is no mention in Claim 16 of a "personal computer" or "MSC," just as there is no mention of an "information distribution system," an "information input computer," or a "first information" in the cited passage from Irvin. Nor does the Examiner provide a basis on which to conclude that such terms are equivalent to features of Claim 16, especially given the significant differences between the purpose of the invention described in the reference and that of the claimed invention, as discussed above, which is "[t]o improve the geographic resolution of broadcast messages transmitted over a communication network." (Irvin, Abstract) As discussed in response to the previous office action, the Examiner has asserted that Irvin teaches a system where information input computers deliver information to a main information distribution server for delivery to the information distribution units. While the passage cited from Irvin does discuss a personal computer connected to a network, the personal computer is in the role of a mobile terminal with location data and in the role of receiving a message from the network. The use of such a computer to inject information into the network, as in Claim 16, is not covered in Irvin. Applicant respectfully submits that a combination of Irvin and Shiraishi et al. would not result in Claim 16 of the claimed invention.

Claim 21. As noted above, the Examiner has rejected Claim 21 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. Because Claim 21 depends from Claims 1 and 16, Applicant incorporates by reference the foregoing discussion on the rejection of Claims 1, 7, 22, and 24 and, separately, of Claim 16. With specific reference to Claim 21, the Examiner has found that "Irvin teaches that a message source (i.e., profile-managing computer), wherein the mobile terminal sends another request to the message source, and the message source sends profile data indicative of a profile of a user of the mobile terminal in response to the [sic] another request." (Office Action at 5) The cited passages from Irvin, however, do not support the analogy that has been drawn between Irvin and the claimed invention, especially given the significant differences between the purpose of the invention described in the reference and that of the claimed invention. As one of the

cited passages makes clear, the purpose of the invention of Irvin is "[t]o improve the geographic resolution of broadcast messages transmitted over a communication network." (Irvin, Abstract) The claimed invention, by contrast, is for the purpose of providing information to users of mobile terminals. The cited passages do not make reference to a "profile-managing computer" or "profile data." Nor do the cited passages provide any basis for analogizing "message source" (Irvin, page 10, line 7) to "profile-managing computer" as the Examiner has done, because the "message source" of Irvin does not related to profile data, as required by Claim 21. As discussed in response to the previous office action, There is no mention in Irvin of a mobile terminal requesting or returning the profile of a user based upon the identifier of the user of the mobile terminal. As discussed in connection with Claim 20, below, the location data of Irvin does not provide what is missing. Applicant respectfully submits that a combination of Irvin and Shiraishi et al. would not result in Claim 21 of the claimed invention.

Rejection of Claims 6, 10, and 11

The Examiner has rejected Claims 6, 10, and 11 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. and further in view Emilsson. Applicant respectfully traverses on the basis that a combination of Irvin, Shiraishi et al., and Emilsson would not result in Claims 6, 10, or 11 of the claimed invention.

Applicant incorporates the foregoing discussion of Irvin and Shiraishi (provided in reference to Claims 1, 7, 22, and 24) by reference. The Examiner has recognized that neither Irvin nor Shiraishi et al. teaches certain features of the claimed invention relating to connectivity to the Internet, visual advertisement, and presentation of timetables. (Office Action at 5-6) Acknowledging the deficiencies of Irvin and Shiraishi et al., the Examiner relies on Emilsson to supply what is missing. Emilsson, however, deals with the delivery of geographically tailored information to a device that is aware of its location and able to communicate that position to computer databases which stores information relevant to that location. The system is primarily reliant upon the use of a network such as GSM and its capabilities of SMS and data transmission. On this GSM network, http addresses are periodically broadcast to inform a mobile terminal, such as one in a car, of the web address of a data base of information pertinent to the reported geographical location of the mobile terminal.

Claim 6. As noted, the Examiner has rejected Claim 6 under 35 U.S.C.

§ 103(a) as unpatentable over Irvin in view of Shiraishi et al. and further in view of Emilsson. Because Claim 6 depends from Claim 1, Applicant incorporates by reference the foregoing discussion on the rejection of Claims 1, 7, 22, and 24. The Examiner has found that neither Irvin nor Shiraishi et al. teaches "said first information is transmitted from said server to said selected information distribution unit through the Internet." (Office Action at 5) Acknowledging the deficiencies of Irvin and Shiraishi et al. in this regard, the Examiner relies on Emilsson to make up for the deficiency. The cited passage from Emilsson does describe a use of the Internet. The use of the Internet by Emilsson, however, is not analogous to a transmission of first information from a server to an information distribution unit through the Internet, as in Claim 6, given the significant differences between Emilsson and the claimed invention. As a result, citation of Emilsson does not support rejection. Applicant respectfully submits that a combination of Irvin, Shiraishi et al., and Emilsson would not result in Claim 6 of the claimed invention.

Claim 10. As noted, the Examiner has rejected Claim 10 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. and further in view of Emilsson. Because Claim 10 depends from Claim 1, Applicant incorporates by reference the foregoing discussion on the rejection of Claims 1, 7, 22, and 24. The Examiner has found that neither Irvin nor Shiraishi et al. teaches "said second information includes visual advertisement, and said first information includes what is related to said visual advertisement." (Office Action at 6) Acknowledging the deficiencies of Irvin and Shiraishi et al. in this regard, the Examiner relies on Emilsson to make up for the deficiency. The cited passages from Emilsson may suggest a providing of information, but they do not suggest a providing of first information and related second information as contemplated by Claim 10. As a result, citation of Emilsson does not support rejection. Applicant respectfully submits that a combination of Irvin, Shiraishi et al., and Emilsson would not result in Claim 10 of the claimed invention.

Claim 11. As noted, the Examiner has rejected Claim 11 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. and further in view of Emilsson. Because Claim 11 depends from Claim 1, Applicant incorporates by reference the foregoing discussion on the rejection of Claims 1, 7, 22, and 24. The Examiner has found that neither Irvin nor Shiraishi et al. teaches "said second

information includes a timetable of vehicles and said information includes third information indicative of said timetable." (Office Action at 6) Acknowledging the deficiencies of Irvin and Shiraishi et al. in this regard, the Examiner relies on Emilsson to make up for the deficiency. The cited passage from Emilsson may suggest a providing of information including timetable information, but it does not suggest a providing of first, second, or third information as contemplated by Claim 11. As a result, citation of Emilsson does not support rejection. Applicant respectfully submits that a combination of Irvin, Shiraishi et al., and Emilsson would not result in Claim 11 of the claimed invention.

Rejection of Claim 8

The Examiner has rejected Claim 8 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. and further in view of Schlager et al. Applicant respectfully submits on the basis that a combination of the references would not result in Claim 8 of the claimed invention.

Applicant incorporates the foregoing discussion of Irvin and Shiraishi (provided in reference to Claims 1, 7, 22, and 24) by reference. The Examiner recognizes that neither Irvin nor Shiraishi et al. teaches "said selected information distribution unit is transmitting said first information" (Office Action at 7) and relies on Schlager et al. to make up for the deficiency. The disclosure of Schlager et al., however, deals with personal alarm systems in which, among other things, the sound of the alarm may become increasingly louder the farther away a remote unit gets from a base station. Applications of the invention disclosed by Schalger et al. include "man-overboard" systems for use in shipping and systems for monitoring the whereabouts of children. While it is evident that the disclosure of Schlager et al. does discuss a transmitter with "an ID-Status display" (Schlager et al., column 7, line10), the mere fact that a status indicator may be employed by Schlager et al., for a purpose unrelated to that of the claimed invention, does not support the Examiner's finding that it would occur to one skilled in the art, unaided by impermissible hindsight, to combine a personal security device such as is disclosed by Schlager et al. with the inventions of Irvin or Shiraishi et al. As a result, citation of Schlager et al. does not support rejection. Applicant respectfully submits that a combination of Irvin, Shiraishi et al., and Schlager et al. would not result in Claim 18 of the claimed invention.

Rejection of Claims 12-14, 17, and 19-20

The Examiner has rejected Claims 12-14, 17, and 19-20 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. and further in view of Hasebe et al. Applicant respectfully traverses on the basis that a combination of those references would not result in Claims 12, 13, 14, 17, 19, or 20 of the claimed invention.

Applicant incorporates the foregoing discussion of Irvin and Shiraishi (provided in reference to Claims 1, 7, 22, and 24) by reference. The Examiner has found that neither Irvin nor Shiraishi et al. teaches certain features of the claimed invention relating to placement of information distribution units in shops, museums, and zoos. (Office Action at 7). Acknowledging the deficiencies of Irvin and Shiraishi et al., the Examiner relies on Hasebe et al. to supply what is missing. Hasebe et al., however, generally describes a server selector for a distributed network of computers. Hasebe et al. details the structure of a network of computers where there are multiple computers with identical IP or DNS designations. If a request is made to the IP or DNS address shared by the plurality of computers, the information distribution device selection system of Hasebe et al. will re-route the request so that the request is made of the computer that has the common IP or DNS address and that is closest to the requesting computer. Assuming the plurality of computers with identical IP or DNS addresses have the same content, an optimal transfer speed may be achieved between a requesting computer and another computer with the desired data. The communications network that is used to relay these requests may be characterized as a network of routers and name-servers. These routing devices have no need to display any information that is being sent to them by any other computer and only the terminals that request and then receive information will have a need to display the said information. Placement of information distribution units inside of shops, museums, and zoos, as in Claims 12-14 of the claimed invention, was never envisioned for Hasebe et al. even though Hasebe et al. has information distribution units in different locations. Even assuming *arguendo* that putting things in different locations may be well known in the art, quite apart from any of the references cited by the Examiner, the delivery of first information related to the environments as in Claims 12-14, independent of tags, is not shown in Hasebe et al.

Claim 12. As noted, the Examiner has rejected Claim 12 under 35 U.S.C.

§ 103(a) as unpatentable over Irvin in view of Shiraishi et al. and further in view of Hasebe et al. Because Claim 12 depends from Claim 1, Applicant incorporates by reference the foregoing discussion on the rejection of Claims 1, 7, 22, and 24. The Examiner has found that neither Irvin nor Shiraishi et al. teaches "said plurality of information distribution units are installed in a shop and said first information includes fourth information on an item displayed in said shop." (Office Action at 7). Acknowledging the deficiencies of Irvin and Shiraishi et al., the Examiner relies on Hasebe et al. to supply what is missing. While the passage from the disclosure of Hasebe et al. cited by the Examiner discusses a plurality of information distribution devices, there is no suggestion that such devices might be installed in a shop as required by Claim 12. Furthermore, the context of Hasebe et al. is not consistent with providing a "fourth information" in the manner described by Claim 12, especially given the differences between Hasebe et al. and the claimed invention as discussed above. As a result, citation of Hasebe et al. does not support rejection. Applicant respectfully submits that a combination of Irvin, Shiraishi et al., and Hasebe would not result in Claim 12 of the claimed invention.

Claim 13. As noted, the Examiner has rejected Claim 13 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. and further in view of Hasebe et al. Because Claim 13 depends from Claim 1, Applicant incorporates by reference the foregoing discussion on the rejection of Claims 1, 7, 22, and 24. The Examiner has found that neither Irvin nor Shiraishi et al. teaches"said plurality of information distribution units are installed in a museum." (Office Action at 7). Acknowledging the deficiencies of Irvin and Shiraishi et al., the Examiner relies on Hasebe et al. to supply what is missing. As noted in connection with Claim 12, while the passage from the disclosure of Hasebe et al. cited by the Examiner discusses a plurality of information distribution devices, there is no mention by Hasebe et al. of a museum; furthermore, the context of Hasebe et al. is not consistent with that of Claim 13, in view of the differences between Hasebe et al. and the claimed invention as discussed above. As a result, citation of Hasebe et al. does not support rejection. Applicant respectfully submits that a combination of Irvin, Shiraishi et al., and Emilsson would not result in Claim 13 of the claimed invention.

Claim 14. As noted, the Examiner has rejected Claim 14 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. and further in view of

Hasebe et al. Because Claim 14 depends from Claim 1, Applicant incorporates by reference the foregoing discussion on the rejection of Claims 1, 7, 22, and 24. The Examiner has found that neither Irvin nor Hasebe et al. teaches "said plurality of information distribution units are installed in a zoo and said first information includes sixth information on an exhibition displayed in said zoo." (Office Action at 7). Acknowledging the deficiencies of Irvin and Shiraishi et al., the Examiner relies on Hasebe et al. to supply what is missing. Acknowledging the deficiencies of Irvin and Shiraishi et al., the Examiner relies on Hasebe et al. to supply what is missing. As noted in connection with Claims 12 and 13, the passage from the disclosure of Hasebe et al. cited by the Examiner does discuss a plurality of information distribution devices. There is, however, no mention by Hasebe et al. of a zoo; furthermore, the context of Hasebe et al. is not consistent with that of Claim 14, in view of the differences between Hasebe et al. and the claimed invention as discussed above. As a result, citation of Hasebe et al. does not support rejection. Applicant respectfully submits that a combination of Irvin, Shiraishi et al., and Hasebe would not result in Claim 14 of the claimed invention.

Claim 17. As noted, the Examiner has rejected Claim 17 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. and further in view of Hasebe et al. Because Claim 17 depends from Claims 1 and 16, Applicant incorporates by reference the foregoing discussion of the rejection of Claims 1, 7, 22, and 24 and, separately, of Claim 16. With reference to Claim 17, the Examiner has recognized that "Irvin fails to teach 'said mobile terminal sends a user response to the information input computer.'" (Office Action at 4) Acknowledging the deficiencies of Irvin, the Examiner relies on Hasebe et al to supply what is missing. The cited passage from Hasebe et al., however, does not support the analogy that has been drawn between Hasebe et al. and the claimed invention. It is a principal object of the invention of Hasebe et al. "to provide an information distribution device selection system capable of preventing problems that arise in the case of utilizing a plurality of identical communication terminal identifiers and selecting one that is logically closest from the user communication terminal among a plurality of information distribution devices." (Hasebe et al., column 3, lines 53-59) Thus, Hasebe et al. and the claimed invention have fundamentally different purposes. The cited passages from the disclosure of Hasebe et al. include discussion of how "a request from the user

terminal device 10 enters the communication network A from a route that is judged to be optimum." (Hasebe et al., column 5, line 59-61) No reference is made to "said mobile terminal send[ing] a user response to said information input computer." (Claim 17, line 2) Applicant respectfully submits that a combination of Irvin, Shiraishi et al., and Hasebe et al. would not result in Claim 17 of the claimed invention.

Claim 19. As noted, the Examiner has rejected Claim 19 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. While the Examiner did not make direct reference to Hasebe et al. in connection in Claim 19, the claim is dependent from Claim 17 which was rejected in part on the basis of Hasebe et al., as discussed above. Because Claim 19 depends from Claims 1, 16, and 17, Applicant incorporates by reference the foregoing discussion on the rejection of Claims 1, 7, 22, and 24 and, separately, of Claims 16 and 17. With specific reference to Claim 19, the Examiner has found that "Irvin teaches that the user response includes profile data indicative of a profile of a user of the mobile terminal." (Office Action at 5) The cited passages from Irvin, however, do not support the analogy that has been drawn between Irvin and the claimed invention, especially given the significant differences between the purpose of the invention described in the reference and that of the claimed invention, as discussed above. For example, the cited passages from Irvin do not discuss profile data or user profiles, while the cited passages do discuss the use of GPS systems, which is consistent with the purpose of Irvin, "[t]o improve the geographic resolution of broadcast messages transmitted over a communication network." (Irvin, Abstract) As discussed in response to the previous office action, the cited passages in Irvin show that data that indicative of the mobile terminal, mainly its geographic location, does not leave the device, with the result that no response is made that carries the identifier. In addition, the identifier is common to many devices in an area and it does not seem able to differentiate one user from another if they are in similar locations. By contrast, Claim 19 claims that a user response from a mobile terminal includes profile data indicative of the profile of the user of the mobile device. Applicant respectfully submits that a combination of Irvin and Shiraishi et al. would not result in Claim 19 of the claimed invention.

Claim 20. As noted, the Examiner has rejected Claim 20 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. While the Examiner did

not make direct reference to Hasebe et al. in connection in Claim 20, the claim is dependent from Claim 17 which was rejected in part on the basis of Hasebe et al., as discussed above. Because Claim 20 depends from Claims 1, 16, and 17, Applicant incorporates by reference the foregoing discussion on the rejection of Claims 1, 7, 22, and 24 and, separately, of Claims 16 and 17. With specific reference to Claim 20, the Examiner has found that "Irvin teaches that the user response includes a user address (i.e., identifier) for identifying a user of said mobile terminal." (Office Action at 5) The cited passages from Irvin, however, do not support the analogy that has been drawn between Irvin and the claimed invention, especially given the significant differences between the purpose of the invention described in the reference and that of the claimed invention, as discussed above. The cited passages refer to "address space in memory" (Irvin, page 10, lines 1-2) and not to "user address." Nor does there appear to be adequate basis for analogizing the "user address" of Claim 20 to an "identifier" related to Irvin, as the Examiner has done, since the term "identifier" does not appear in the cited passages, and, as discussed in response to the previous office action, Irvin does not show a user identifier being included in a user response. In the cited passages, Irvin details how location data may be used to determine who is to receive which broadcast messages. Such location data, however, does not leave the device in any kind of response. In addition, there does not appear to be any basis in the references to support the conclusion that location should be viewed as a user identifier. Applicant respectfully submits that a combination of Irvin and Shiraishi et al. would not result in Claim 20 of the claimed invention.

Rejection of Claim 18

The Examiner has rejected Claims 6, 10, and 11 under 35 U.S.C. § 103(a) as unpatentable over Irvin in view of Shiraishi et al. and further in view of Rafizadeh. Applicant respectfully submits on the basis that a combination of the references would not result in Claim 18 of the claimed invention.

Claim 18 depends from Claims 1, 16, and 17. Applicant thus incorporates by reference the foregoing discussion on Irvin and Shiraishi provided in reference to Claims 1, 7, 22, and 24, and separately in connection with Claims 16 and 17. The Examiner has found that neither Irvin nor Shiraishi et al. teaches "said first information includes a questionnaire and said user response includes an answer for said questionnaire" and relies on Rafizadeh to make up for the deficiency. Rafizadeh,

however, deals with the rewarding of consumers who view certain ads or submit surveys while they browse an interactive website. The idea of electronically submitting questionnaires and surveys so that a central computer may reward the sender of the information is covered with great detail in Rafizadeh. As explained in response to the previous office action, the mere circumstance that Rafizadeh shows a questionnaire being returned from a user does not make Claim 18 obvious, especially since the manner in which the technology would be used in the set up of the invention is unclear. Finally, the routing or destination of the questionnaire is not mentioned in Rafizadeh in such a way that it would be applicable to the claimed invention. As a result, citation of Rafizadeh does not support rejection. Applicant respectfully submits that a combination of Irvin, Shiraishi et al., and Rafizadeh would not result in Claim 18 of the claimed invention.

Claims 26 and 27

A check in the amount of $36 is attached to satisfy the fee for the two additional dependent claims. With respect to claim 26, it is noted that the references of record do not show or suggest the mobile terminal approaching the base station or any action which would be taken when and if the mobile terminal approaches the base station. With respect to claim 27, the cited references only show the base station transferring the broadcast message, and do not show storing the broadcast message.

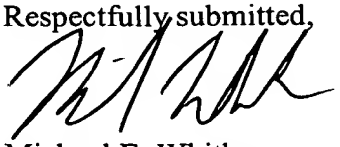
Conclusion

In view of the foregoing, it is respectfully requested that the application be reconsidered, that Claims 1-27 be allowed, and that the application be passed to issue. Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of

fees for the petition or for entry of this amendment to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis & Christofferson P.C.).

Respectfully submitted,



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